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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

DAN L. WHITNEY, JANET R. HADLEY,
MARGARET A. KORNOW-BROWN, ERIC
BRELLE,

Plaintiffs,

vs.

CHARLES WURTZ, VERISCAPE, INC.,
RENEE TADLOCK, REGINA RYGELIS,
WILL ARNTZ, SAM JACOB, GARY
BERKOWITZ, BRIAN ROE, and DOES 1
TO 20, inclusive,

Defendants.

AND RELATED CROSS-ACTIONS.

CASE NO. CO405232

STIPULATION AND ORDER
TO SET ASIDE ENTRY OF
DEFAULT BY CLERK

STIPULATION

This Stipulation is entered into by and between cross-defendant and counter-claimant,
RICHARD DODD, and cross-claimant and counter-defendant VERISCAPE, INC., by and through
their attorneys of record herein with reference to the following facts::

1 1. On August 15, 2006, the Clerk of the Court entered the default of VERISCAPE, INC.
2 on the Counter Claim of RICHARD DODD against VERISCAPE, INC., filed on May 24, 2006.


3 2. The parties to this Stipulation have settled their claims against each other and as part
4 of the settlement, the default is to be set aside.

5 WHEREFORE, IT IS HEREBY STIPULATED by and between cross-defendant and counter-
6 claimant, RICHARD DODD, and cross-claimant and counter-defendant VERISCAPE, INC., by and
7 through their counsel, that the default against VERISCAPE, INC., entered by the Clerk on August
8 15, 2006, shall be vacated and set aside.

9
10 DATED: 1-9-07


ROBERT N. BURMEISTER, JR.
Attorney for Veriscape, Inc.

11
12 DATED: 1-9-07


JOHN A. BERANBAUM
Attorney for Richard Dodd

13
14
15 ORDER

16 IT IS HEREBY ORDERED that the default entered against VERISCAPE, INC. on the
17 Counter Claim of RICHARD DODD is hereby vacated and set aside.

18 DATED: January 30, 2007


PATRICIA TRUMBULL
Judge of the United States District Court